

reasons that are again noted in a hopefully more persuasive explanation below, it is respectfully submitted that the citations do not "basically read on" the applicant's claimed invention -- even if they are combined *arguendo* with selective use of hindsight as the Examiner appears to be doing.

In this regard, the Examiner's "Response to Arguments" section at page 7 of the Office Action admits that Gruchala does not specifically teach either temporary or permanent simulated "modified" consistent CLI.

In addition, surely there is no doubt whatsoever that at best, Gruchala only teaches a simulated (modified) CLI for a group -- rather than for any particular individual. Since a "permanent" CLI associated with an individual is clearly not translated into a simulated (modified) consistent CLI, it follows that Gruchala cannot possibly supply the admitted fundamental deficiencies of Staples.

Gruchala is rather confusing. While it does talk about modifying the calling party identification number to become the identification number of the group to which the calling party belongs, there is also disclosure of providing a privacy function which means that calls can be anonymous -- "consequently, the service restricts the passing of the calling party identification parameter" -- see column 6, lines 10 to 16 and also claims 7 and 20. It seems odd to want to block transmission of the group identity -- but it is not preposterous. There is no disclosure of passing the original, unmodified, calling party identification number to the called party -- and on balance this privacy option is also not a clear pointer to such an approach when a privacy function is not invoked.

Applicant's previous response was not intended to assert that Gruchala taught only a temporary modified calling line identity. Presumably in Gruchala the same caller will, as long as he or she belongs to the same work group, be associated with the identity of that work group.

The second half of the paragraph at the top of page 8 of the Examiner's response is perhaps not understood. Gruchala is consistent in teaching that the calling party number is modified to become the identification number of a group associated with the calling party. Logically, the group must consist of more than merely one party, i.e., there is the calling party and other individuals who together make up the group. There is thus no one-to-one correspondence between the group identity number and individual calling party numbers. Thus, it is simply not possible for the called party to use the modified calling party number as a means of contacting the calling party. There is absolutely no teaching of how this could be achieved and logically it is not possible. The Examiner's observation that "it is not logical to call the entire group in order to reach one person in that group" is, of course, quite correct. The point being, of course, that the reference does not teach applicant's invention which does provide this capability. Obviously, if you want to contact somebody else in your group, you must dial their number directly and there is nothing illogical about that.

On page 4 of the Office Action, in the last sentence of the first paragraph, the Examiner makes a statement which suggests a misunderstanding of how the system of the reference works. In Gruchala, column 6, between lines 17 and 25 there is disclosure of

the possibility of number translation which is a well known concept in the art, per se. But this provides no basis for an argument that one can get from an identification number of a group associated with a calling party to the real calling line identity for that calling party.

In the next paragraph on page 4, the Examiner again appears to be reading more into the reference than is actually there. The reference does not teach that the system translates the user's home telephone number into that caller's individual office/extension number. There is no one-to-one correspondence between the group number and the individual caller's number.

The Examiner's objection to claims 2 and 8 is also believed to be without basis. The Examiner cites Staples, but the activities which the Examiner equates to those of applicant's claims can only happen after the call has been set up -- and claims 2 and 8 concern activities that must be performed prior to call setup.

Regarding the objections to claims 3 and 9, again the Examiner appears to overlook the chronology in the applicant's claim and the chronology taught in the reference. Claim 3 concerns detecting the identity of a computer from which a request to make a call has been sent, the computer already being in communication with the CTI controller. Whereas the passages cited by the Examiner concern initiating communication between a remote computer and the virtual presence server.

Regarding the objection to claim 6 based on a three-way combination, given the deficiencies in Gruchala and Staples, it is not clear how Kahn could be combined with the two earlier references to provide a method as claimed in claim 6 -- even if it is assumed

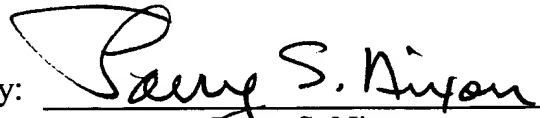
BOOTON et al
Appl. No. 09/936,220
May 1, 2006

arguendo that such an incremental teaching is present somewhere in the quite different context of Kahn.

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Larry S. Nixon
Reg. No. 25,640

LSN:vc
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100